

REMARKS

Reconsideration of rejection of the above-identified application is respectfully requested in view of the amendments authorized above and the arguments to follow.

The Examiner has rejected claims 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13 and 14 under 35 U.S.C. 103(a) as being unpatentable over Martin (5,539,823) in view of Spies (6,055,314).

Martin discloses, inter alia, scrambling and de-scrambling apparatus for a subscription TV.

The problem solved by the Martin's invention concerns the fact that (literally) "It is desirable therefore for a manufacturer of scrambling and de-scrambling equipment, without having to face problems of equipment compatibility within an existing cable TV operation, to be able to supply his equipment for new subscribers who continue to use different scrambling and de-scrambling equipment already in place." (Martin, Col.2, l. 18-25).

According to the Martin's invention it is provided (literally) "At newly added subscriber locations, new SSAVI de-scrambling equipment, ... (omissis), [which] recognizes the special coded signals and operates to fully de-scramble the TV signals even though they had been scrambled with otherwise incompatible equipment at the central office." (Martin, Col.2, l.60-65).

Moreover, "The video input means supplies video signals to be transmitted from a central office to a plurality of subscriber locations." (Martin, Col.4, l. 1-3).

Therefore, Applicant respectfully submits that Martin discloses a unique scrambling and de-scrambling system for ONE OPERATOR; the system is able to establish compatibility, at newly added subscriber, between newly installed equipment and old equipments of the sole operator.

Applicant respectfully submits that Martin does not discloses a system:

"that is able to allow a user to access, with a single decoder, coded information from different operators or providers." (Disclosure, Page 1, l. 31-33).

In fact Marvin does not solve the problem of having a plurality of providers able to serve subscribers that use the same decoder.

Spies (6,055,314) discloses, inter alia, a system and method for secure purchase and delivery of video content programs "that has no secret built into any hardware," (Spies, Col.2, l.2-3).

In particular, "According to one aspect of this invention, a system for purchasing video content programs includes a [one] merchant computing unit at a video merchant and a [one] purchaser integrated circuit (IC) card which compatibly interfaces with the merchant computing unit." (Spies, Col.2, l.50-54).

Moreover, "The video purchase and delivery system 20 has several participants, including a [one] video content provider 22, a [one] video merchant 24, and multiple purchasers 26." (Spies, Col.4, l.57-60).

In other words, Spies solves the problem of a [one] provider or merchant by making him/her able to provide to a purchaser a single removable user unit for decrypting video content programs sent by the sole single provider.

Present invention solves the following problem: making able a plurality of providers or operators to provide to a purchaser a single decoder or STB and a single removable user unit for decrypting video content programs sent by the plurality of providers.

In fact:

"The invention however can find application in all the situations wherein a system is to be made that is able to allow a user to access, with a single decoder, coded information from different providers." (Disclosure, Page 1, l. 31-33).

Moreover:

"According to the invention it is sufficient to have, for instance, a single universal smart card available, and specialisation information, necessary to receive a given provider's information in clear, can be downloaded directly from the system into the smart card, by exploiting its capability to execute the downloaded programs through its chip, and the software layer associated thereto, represented here as a virtual machine VM." (Disclosure, Pag.5, l.30-end; Pag.6, l.1-2).

In summary, present invention provide a method and system for the controlled delivery of digital services wherein a plurality of providers are able to distribute multimedia services

to one user through a single removable user unit associated to a single device or receiver or STB.

On the contrary, by applying the invention of Spies, which provide for one smart card for any provider, to the system of Martin, which provide for one device or receiver or STB for any provider, it is not possible to obtain the method and system as disclosed according to present invention and now claimed.

The Examiner has rejected claims 4 and 11 under 35 U.S.C. 103 (a) as being unpatentable over Martin and Spies as applied to claim 8, and further in view of Jones et al (5,623,637).

Moreover, the Examiner has rejected claims 5 and 12 under 35 U.S.C. 103 (a) as being unpatentable over Martin and Spies as applied to claim 1 and 8, and further in view of Wasleski (6,157,719) and claim 15 as being unpatentable over Martin and Spies as applied to claim 8, and further in view of Kaplan et al (6,141,339).

Jones et al discloses, inter alia, a removable memory card, preferably implemented in conformity with the PCMCIA standard, for storing encrypted data; the memory card includes a smart-card integrated circuit for storing an access password and encryption keys for decrypting the stored data.

Present invention is not directed to store encrypted data in a removable memory card.

Wasleski discloses, inter alia, a system for limiting access to broadcast information.

Applicant respectfully submits that the same line of arguments used for Martin and Spies can be used for Wasleski.

Kaplan discloses a telecommunications system wherein, inter alia, it is provided a Java card for call waiting and call forwarding (Kaplan, Col.5, 1.59-65).

Applicant respectfully submits that the hub (Fig.3) of Kaplan comprises a plurality of cards and that the same line of arguments used for Martin and Spies can be used for Kaplan.

Present invention discloses, according to independent claims as now amended:

a method, and a corresponding system, for the controlled delivery of digital services wherein a plurality of providers (SP) are able to delivery digital services to a user (U).

The services are identified by respective stream of encoded digital data emitted by the respective providers (SP) and each user is provided with a receiver (STB) to receive the digital data streams by the plurality of providers.

The receiver or STB is selectively enabled to make use of determined services of a given provider.

The method comprises the operations of:

- incorporating into the digital data streams respective enabling algorithms to be selectively loaded into a sole single removable user unit or smart card to be associated to the receiver for enabling the use of respective determined services of the plurality of providers,
- incorporating into the digital data streams a respective identifying code (EMM) of the user (U) to be enabled to receive

the respective determined services of the given provider,
- associating to the sole single removable user unit a processing function (VM) capable of recognising and executing one enabling algorithm by exploiting said identifying code to enable the receiver (STB) of the user to make use of said determined services of the given provider.

Applicant has amended claims 1 to 15 in order to overcome the objections raised by the Examiner.

Therefore, claims 1 to 15, as now amended, should be allowable.

The Patent Application should be now considered in condition to be issued and such allowance is respectfully requested.

Respectfully submitted,
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